

Notice of Allowability

Application No.

10/729,247

Applicant(s)

RANJAN, KARTHIK

Examiner

Michael J. Simitoski

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response of 7/24/2007.
2. ☒ The allowed claim(s) is/are 5-10, 12 and 16-24.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. The response of 7/24/2007 was received and considered.
2. Claims 5-10, 12 & 16-24 are pending.

Allowable Subject Matter

3. Claims 5-10, 12 & 16-23 are allowed.
4. The following is an examiner's statement of reasons for allowance:
 - a. Regarding claim 16, **Ducharme** discloses a first network adapter configured to receive a primary data stream (Fig. 2, #25) in which the information has been encoded, encrypted (col. 4, lines 42-43) according to a key scheme from a primary transmitter (service provider) through a first network (Fig. 2, #25) in a first format (first rate, col. 5, lines 14-16), an arrangement (gateway) configured to receive entitlement messages (Fig. 2, #25), enabling an authorized receiver to decrypt the encrypted data stream (col. 4, lines 50-54) and at least one further network adapter for connection to a secondary network (Fig. 2, #35), wherein the terminal (gateway) is configured to re-transmit at least part of the information in at least one secondary data stream in a second format (lower bit rate, col. 5, lines 24-27), differing from the first format, through the second network to at least one secondary terminal (client) connected to the secondary network (Fig. 2, #35), wherein the terminal is configured to transmit the secondary data stream(s) encrypted according to the same key scheme (col. 5, lines 28-30) and to forward received entitlement messages that enable an authorized receiver to decrypt

the secondary data stream(s) to the secondary terminal(s) (col. 5, lines 65-67), wherein the terminal is arranged to decrypt the received primary data stream and to encrypt the secondary data stream(s) according to the key scheme (col. 5, lines 28-30). **Kovacevic** teaches that video data is often transmitted in transport streams, where the transport stream is decrypted and then de-multiplexed to generate individual packetized elementary streams (PES) (¶29). *However, as also argued by Applicant on p. 14 of the most recent response, the prior art of record fails to teach or disclose, either alone or in combination, where the terminal is arranged to retransmit information encoded in only a subset of the elementary data streams to the at least one secondary terminal over the secondary network, in combination with the other elements of the claims. While generally a subset can include the whole (the grounds for which the claim was rejected over Kovacevic), it is understood from the amendment and applicant's arguments that some set, less than the whole set of elementary data streams, is used to transmit the encoded information to the secondary terminal.* Claims 5-10 & 12 are allowable based on their dependence upon claim 16.

b. Regarding claim 17, **Ducharme** discloses a first network adapter configured to receive a primary data stream (Fig. 2, #25) in which the information has been encoded, encrypted (col. 4, lines 42-43) according to a key scheme from a primary transmitter (service provider) through a first network (Fig. 2, #25) in a first format (first rate, col. 5, lines 14-16), an arrangement (gateway) configured to receive entitlement messages (Fig. 2, #25), enabling an authorized receiver to decrypt the encrypted data stream (col. 4,

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lines 50-54) and at least one further network adapter for connection to a secondary network (Fig. 2, #35), wherein the terminal (gateway) is configured to re-transmit at least part of the information in at least one secondary data stream in a second format (lower bit rate, col. 5, lines 24-27), differing from the first format, through the second network to at least one secondary terminal (client) connected to the secondary network (Fig. 2, #35), wherein the terminal is configured to transmit the secondary data stream(s) encrypted according to the same key scheme (col. 5, lines 28-30) and to forward received entitlement messages that enable an authorized receiver to decrypt the secondary data stream(s) to the secondary terminal(s) (col. 5, lines 65-67), wherein the terminal is arranged to decrypt the received primary data stream and to encrypt the secondary data stream(s) according to the key scheme (col. 5, lines 28-30), wherein the terminal is arranged to decrypt the received primary data stream and to encrypt the secondary data stream(s) according to the key scheme (col. 5, lines 28-30). **Kovacevic** teaches that video data is often transmitted in transport streams, where the transport stream is decrypted and then de-multiplexed to generate individual packetized elementary streams (PES) (¶29). *However, the prior art of record fails to teach or disclose, either alone or in combination, receiving selection commands from the secondary terminals, and selecting elementary data streams comprised in the subset according to the selection commands, in combination with the other limitations of the claims.* Claims 19, 21 & 23-24 are allowable under similar rationale. Further, it is noted that the recited "machine-readable medium" in claims 23-24 is understood as

equivalent to "machine-readable storage media" such as disk drives, cd-roms, etc. and not to include carrier mechanisms such as carrier waves or signals.

c. Regarding claim 18, **Kelkar** discloses a first network adapter (MAC, Fig. 2, #42) configured to receive a primary data stream in which the information has been encoded (MAC, col. 5, lines 53-55), encrypted according to a key scheme from a primary transmitter (MAC transmitter) through a first network in a first format (MAC, col. 5, lines 40-52), an arrangement (MAC, Fig. 2, #42) configured to receive entitlement messages (access control stream, col. 6, lines 1-2), enabling an authorized receiver to decrypt the encrypted data stream (col. 6, lines 4-12), and at least one further network adapter (PAL component encoder/scrambler/modulator, Fig. 2, ##52-28 & col. 6, lines 15-17) for connection to a secondary network (col. 6, lines 25-27), wherein the terminal is configured to re-transmit at least part of the information in at least one secondary data stream in a secondary format (PAL, col. 5, lines 40-44), differing from the first format (MAC), through the second network to at least one secondary terminal (receiver) connected to the secondary network (col. 6, lines 25-27), wherein the terminal is configured to transmit the secondary data stream(s) encrypted according to the same key scheme (col. 4, lines 50-55, col. 5, lines 54-55 & col. 6, lines 19-24) and to forward received entitlement messages that enable an authorized receiver to decrypt the secondary data stream(s) (access control stream, col. 6, lines 22-24) to the secondary terminal(s) (col. 6, lines 22-24). **Ducharme** discloses a first network adapter configured to receive a primary data stream (Fig. 2, #25) in which the information has been

encoded, encrypted (col. 4, lines 42-43) according to a key scheme from a primary transmitter (service provider) through a first network (Fig. 2, #25) in a first format (first rate, col. 5, lines 14-16), an arrangement (gateway) configured to receive entitlement messages (Fig. 2, #25), enabling an authorized receiver to decrypt the encrypted data stream (col. 4, lines 50-54) and at least one further network adapter for connection to a secondary network (Fig. 2, #35), wherein the terminal (gateway) is configured to re-transmit at least part of the information in at least one secondary data stream in a second format (lower bit rate, col. 5, lines 24-27), differing from the first format, through the second network to at least one secondary terminal (client) connected to the secondary network (Fig. 2, #35), wherein the terminal is configured to transmit the secondary data stream(s) encrypted according to the same key scheme (col. 5, lines 28-30) and to forward received entitlement messages that enable an authorized receiver to decrypt the secondary data stream(s) to the secondary terminal(s) (col. 5, lines 65-67), wherein the terminal is arranged to decrypt the received primary data stream and to encrypt the secondary data stream(s) according to the key scheme (col. 5, lines 28-30).

However, the prior art of record fails to teach or disclose, either alone or in combination, receiving messages authorizing transmission of at least one of the secondary data streams to at least one of the secondary terminals, which terminal is arranged to transmit only those secondary data streams to those secondary terminals for which an authorization has been received, in combination with the other limitations of the claims.

Claims 20 & 22 are allowable under similar rationale.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Simitoski whose telephone number is (571) 272-3841. The examiner can normally be reached on Monday - Thursday, 6:45 a.m. - 4:15 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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September 18, 2007

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KAMBIZ ZAND
SUPERVISORY PATENT EXAMINER